

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: May 1, 2015

JODY RUCKS,

Plaintiff,

-against-

THE CITY OF NEW YORK, SERGEANT MICHAEL  
O'CONNOR, AND POLICE OFFICERS MICHAEL PERCY  
AND ANTHONY BRUNO,

Defendants.

**STIPULATION AND  
ORDER OF  
SETTLEMENT OF  
ATTORNEY'S FEES,  
EXPENSES, AND COSTS**

12 Civ. 4226 (KPF)

**WHEREAS**, plaintiff Jody Rucks commenced this action by filing a complaint on or about May 29, 2012, alleging that defendants City of New York, Michael O'Connor, Michael Percy, and Anthony Bruno violated his federal civil and state common law rights; and

**WHEREAS**, all defendants deny any and all liability arising out of plaintiff's allegations; and

**WHEREAS**, plaintiff's counsel represents that plaintiff has assigned all of his rights to attorneys' fees, expenses, and costs to his counsel, Gerald Cohen, Esq.; and

**WHEREAS**, counsel for defendants and counsel for plaintiff now desire to resolve the issue of attorneys' fees, expenses, and costs without further proceedings;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, the attorneys of record for the respective parties to the above-captioned action, as follows:

1. Defendant City of New York hereby agrees to pay plaintiff's counsel, Gerald Cohen, Esq., the total sum of Three Hundred Fifty Thousand (\$350,000.00) Dollars in full satisfaction of plaintiff's claims for attorneys' fees, expenses, and costs. In consideration for

the payment of Three Hundred Fifty Thousand (\$350,000.00) Dollars, counsel for plaintiff agrees to release and discharge defendants City of New York, Michael O'Connor, Michael Percy, and Anthony Bruno; their successors or assigns; and all past and present officials, employees, representatives, and agents of the City of New York or any entity represented by the Office of the Corporation Counsel, from any and all claims of attorneys' fees, expenses, and costs that were or could have been alleged in the aforementioned action.

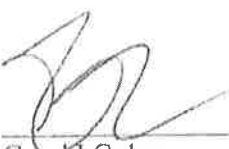
2. Counsel for plaintiff hereby agrees and represents that no other claims for attorneys' fees, expenses, or costs arising out of this action shall be made by or on behalf of plaintiff in any application for attorneys' fees, expenses, or costs at any time.

3. Nothing contained herein shall be deemed to be an admission by the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules or regulations of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations, except to enforce the terms of this agreement.

4. This Stipulation and Order contains all the terms and conditions agreed upon by counsel for defendants and counsels for plaintiff hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of attorneys' fees, expenses, or costs shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

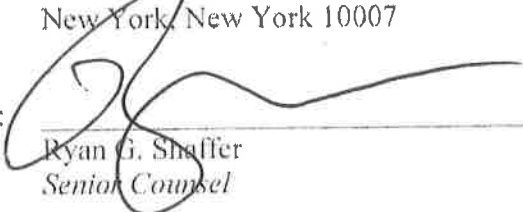
COHEN & FITCH  
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By: \_\_\_\_\_

  
Gerald Cohen  
*Attorney for Plaintiff*

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Corporation Counsel of the City of New  
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*Attorney for Defendants City of New York,  
O'Connor, Bruno, and Percy*  
100 Church Street, 3<sup>rd</sup> Floor  
New York, New York 10007

By: \_\_\_\_\_

  
Ryan G. Shaffer  
*Senior Counsel*

Dated: New York, New York  
April 29, 2015

Dated: May 1, 2015  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE